

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 10/24/03.

## **I. DISPUTE**

Whether there should be additional reimbursement for CPT 97546 WH (5 units) for dates of service 8/5/03 and 8/6/03 (total of 10 units). Requested amount is \$32.00 for each date of service.

## **II. RATIONALE**

The services in dispute were denied as, "F-Exceeds the fee schedule".

The Respondent states, in their letter dated 10/22/03, "Per EOB's received, the insurance company reduced the services per a fee guideline. Our work hardening program is CARF certified and due reimbursement without discount".

Carriers response, dated 11/13/03, states in part, "The liability dispute originally reflected in the EOBs is expected to be resolved. Payment has been made in accordance with the Medical Fee Guidelines".

The Medical Fee Guideline Ground Rules, II, C and E, effective 8/1/03, states in part, "If facility is CARF accredited, no reduction is allowed. Reimbursement for the Work Hardening program shall be \$64.00 per hour".

Reimbursement methodology  $\$64.00 \times 10 \text{ units} = \$640.00 - \$576.00 \text{ payment (2 dates of service @ } \$288.00 \text{ for each date)} = \$64.00$ .

Therefore, additional reimbursement is recommended for \$64.00.

## **IV. DECISION & ORDER**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor is entitled to additional reimbursement of \$64.00. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit \$64.00 plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 25<sup>th</sup> day of February 2004.

Terri Chance  
Medical Dispute Resolution Officer  
Medical Review Division

TC/tc